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LETTER DATED 22 MARCH 1999 FROM THE CHAIRMAN OF THE SECURITY COUNCIL COMMITTEE ESTABLISHED PURSUANT TO RESOLUTION 864 (1993) CONCERNING THE SITUATION IN ANGOLA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit a letter dated 19 March 1999 addressed to me by the Ambassador and Permanent Representative of Zambia, Peter L. Kasanda, on the subject of sanctions imposed against the União Nacional para a Independência Total de Angola (UNITA). The Permanent Representative has requested that the letter be circulated as a document of the Security Council. I would be grateful if this would be done.

(Signed) Robert R. FOWLER
Chairman
Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola

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Annex

Letter dated 19 March 1999 from the Permanent Representative of Zambia to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola

Zambia's response to Angolan accusations against Zambia, contained in an Angolan memorandum dated 4 February and in document S/1999/267 of 11 March 1999

As you will recall, in its memorandum of 4 February 1999, the Government of Angola accused Zambia of allegedly assisting the União Nacional para a Independência Total de Angola (UNITA) in violation of Council resolution 864 (1993) concerning the situation in Angola. These allegations were also repeated in a letter dated 9 March, which the Permanent Representative of Angola to the United Nations addressed to you in your capacity as Chairman of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola.

I have the honour to inform you that the Government of Zambia has now finished its investigations of the said allegations and the results of its investigation are set out below. This rebuttal should be read alongside Angolan allegations as set out in the documents named above.

1. Direct support of the Government of Zambia and its intelligence services. The allegation lacks specificity concerning the kind of support given by the Government of Zambia. The Government of Zambia categorically denies any dealings whatsoever with UNITA.

2. Involvement of Zambian enterprises and individuals in the sale of lethal materials and foodstuffs to UNITA

(a) Zambezi Lodge Motel. The Zambezi Lodge motel is owned by the Zambezi District Council, but is leased to a private company called NN Air Services Ltd., which intends to turn it into a tourist resort. The lease is for a 10-year period starting in 1997. Our investigations have found no information linking NN Air Services of Zambia to dealings with UNITA using the motel. In 1998, the Government of Zambia rejected an application by the company to operate a direct air service between Zambezi in Zambia and South Africa in order to avoid possible abuse of Zambian territory;

(b) Zambezi Airstrip. No airstrip exists in Zambezi. What exists is an aerodrome, which is 1,100 metres long and 30 metres wide, where only light aircrafts can land. The aerodrome has not been renovated and has not been in use for a long time. There are no night landing facilities at the aerodrome. The aerodrome is administered subject to the normal civil aviation regulations that apply to all airstrips, aerodromes and airports in Zambia. The aerodrome is located in a residential area and is criss-crossed by paths that are frequently used by residents living in its vicinity. The aerodrome was inspected between March and May 1998 by the joint Zambia/Angola investigation

team, as well as by Njuguna Mahugu, the then Chairman of the United Nations Security Council sanctions committee on UNITA, and Daniel Antonio, the Organization of African Unity (OAU) Assistant Secretary-General. In February 1999 an OAU team led by Ahmed Haggag, Assistant Secretary-General, again inspected the aerodrome. In addition, a team of local foreign journalists visited the aerodrome in March 1999. All these teams found no evidence of use of this aerodrome as alleged;

(c) Personalities:

(i) Benjamin Yoram Mwila. He is a former Minister of Defence and currently Minister of Energy and Natural Resources. Our investigations have found no evidence to link him to the allegations;

(ii) Enock Kavindele. He is the former Minister of Commerce and Industry and an acquaintance of Jonas Savimbi, but our investigations have found no information suggesting that the relationship has been used in the provision of logistics or re-arming of UNITA;

(iii) Timi Green. He is a South African national who was arrested by Zambian authorities on 27 December 1996 for violation of Zambian airspace. Mr. Green jumped bail and ran back into South Africa soon afterwards;

(iv) Miro Goncalves. He is not known in Zambia. Angola is therefore requested to provide more detailed information;

(v) Mulyata of Solwezi. He is known. Angola is requested to provide more detailed information;

(vi) Tinsit Allain. He is not known. Angola is requested to provide more detailed information;

(vii) Paul Manneplavan. He was deported to India in November 1998, as soon as the Government of Zambia discovered that he had dealings in UNITA-controlled areas in violation of Security Council sanctions against UNITA. He used to cross into Angola without following Zambian immigration and customs regulations and conducted trade in foodstuffs in UNITA-controlled areas;

(d) The South African Company called METEX International. This Company was conclusively investigated in 1997 in connection with similar allegations. As a result of the investigations, the company and its officials were deported and its aircraft removed from Zambia in September 1997. Details of the results of the investigations and subsequent actions taken by the Government of Zambia were provided to the President of Angola on 25 September 1997 by a Special Envoy of the President of Zambia. Since then, this company has never operated in Zambia;

(e) Chani Enterprises, Ltd. Our investigations have found no evidence that this company has been transporting arms and ammunition for UNITA military forces.

3. Facilities for logistics supplies

(a) Mpolo Airport. It does not exist in Lusaka or anywhere else in Zambia;

(b) Mansa Airport. Our investigations have found no information that it has been used for the alleged activities. Records of landings and take-offs for the past year are available for inspection. The airport is small, constructed for light aircraft and does not cater to aircraft such as Boeing 707 or 737. Moreover there are no night landing facilities;

(c) Kasama Airport. This is a small provincial airport without night landing facilities. There is no information to suggest that the airport has been used for the alleged activities. Records are also available for inspection. Any aircraft flying from Kasama to Angola should inevitably pass through the airspace of the Democratic Republic of the Congo, which is monitored by the Government of the DRC;

(d) Mfuwe Airport. There is no information to link the airport to the alleged activities. Records are available for inspection;

(e) Storage of large quantities of fuel in Ndola. Zambia has no knowledge of this activity.

4. Alleged supply routes

(a) Zambia/Zambezi-Chingi on the Zambian side and Karipande on the Angolan side. This border post was inspected by the Zambia/Angola joint investigation team and by Ambassador Njuguna Mahugu, who satisfied themselves that the alleged activities were not taking place;

(b) Nguvu route and Like Harriet Nakazwe. Investigations so far have not yielded the identity of this person. The Government of Angola is requested to give more detailed information;

(c) Nyachikayi/Lutembwe-Cassessi/Chavuma-Karipande/Calombo-Chavuma/Dicolonga route in Kabompo district. There is contact by villagers in these areas who are, as a matter of fact, ethnically related, but this does not constitute support for UNITA. These contacts were witnessed by the officials mentioned above.

General comment

Almost all the places and areas mentioned are located along the long border Zambia shares with Angola. They are extremely remote, located in difficult terrain and have no infrastructure that can support the alleged activities.

5. Placement of Mr. Angelo Dembo, a UNITA official in Zambia to oversee supplies to UNITA. Mr. Dembo is not known to the Government of Zambia. Angola is requested to provide more detailed information.

6. Visit to Zambia by a UNITA delegation comprising four Generals and contact with leaders of the Movement for Multi-Party Democracy under the protection of the intelligence services between 5 and 11 September 1998. No such visit or contacts took place.

7. Movement of one hundred trucks loaded with supplies for UNITA left Kitwe and penetrated Angola at Nangweshi Caungamaxi on the banks of the Kubango River. There was no such movement. The route is almost impassable. However, during the same period, Zambia facilitated the movement of military trucks procured by the Government of the Democratic Republic of the Congo from the Port of Dar-es-Salaam through the Nakonde border post to the Kasumbalesa border post in the Democratic Republic of the Congo. This movement occurred far from the border with Angola.

8. Aircraft

(a) C-130, registration number 9J-AFU. An identical aircraft, but bearing a different registration number (9J-AFV) operated in Zambia from 1996 to 1997. The aircraft was brought to Zambia by Chani Enterprises Ltd., a private Zambian company. The Federal Aviation Authority of the United States of America, which was where the aircraft was purchased, warned Zambia against using the military craft for civilian purposes before modifications. The Zambia Department of Civil Aviation, in turn, advised Chani Enterprises to effect the modifications, but Chani Enterprises opted to sell the aircraft to Belkas Company of Portugal rather than carry out the modifications. The aircraft was de-registered in Zambia in November 1997. According to information available to Zambia, the new owners of the aircraft are now operating it in Cape Verde;

(b) Boeing 707. Investigations have established that Aero Zambia, a private aviation company registered in Zambia, leased the Boeing 707, a cargo plane, from Kenya in 1997 and took it to South Africa, where it was painted in Aero Zambia colours, before the Zambian Department of Civil Aviation could grant a license for its operation in Zambia. This aircraft has not operated in Zambia. Our investigations have revealed that the aircraft started operating in the region using South Africa as its base. Zambia did not have knowledge of, nor did it grant authority for, these flights;

Boeing 737. Aero Zambia operates a Boeing 737 aircraft registered in Zambia. At the moment, the company has no scheduled flights to any destination in Angola. Zambia has no information linking this aircraft to the allegations.

9. Lopes Baptista. This matter was investigated, and it was found that Mr. Baptista had engaged in cross-border trade into Angola involving foodstuffs, bypassing immigration and customs regulations. He was deported from Zambia to South Africa on 7 February 1999. Of the vehicles mentioned in the memorandum, none of them bears Zambian registration and none was established as belonging to Mr. Baptista.

I request you to circulate this letter as a document of the Security Council.

(Signed) Peter L. KASANDA
Ambassador
Permanent Representative